UNITED
NATIONS

A S

General Assembly Security Council

Distr.
GENERAL

A/45/1048
S/22893
6 August 1991
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-fifth session
Agenda item 153
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 5 August 1991 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General

On instructions from my Government, I wish to inform you that the Iraqi regime, in an attempt to mislead the international community and to divert attention from the fact that it is detaining thousands of Kuwaiti and non-Kuwaiti prisoners of war in flagrant violation of Security Council resolutions 686 (1991) and 687 (1991), as well as of the third Geneva Convention, has persisted in submitting requests to the International Committee of the Red Cross (ICRC) on behalf of individuals it claims to be Kuwaiti citizens seeking to leave and return to Kuwait for the purpose of "reunion". In all, there have been 697 requests, listing 3,458 (three thousand four hundred and fifty-eight) individuals. Kuwait has approved the return of 252 (two hundred and fifty-two) Kuwaitis and non-Kuwaitis among those on the list after checking their identities and nationalities and verifying that they were included, before 1 August 1990, in the civilian population register of the State of Kuwait, a copy of which is deposited with the United Nations in accordance with Security Council resolution 677 (1990). The individuals concerned left Kuwait of their own accord during the brutal Iraqi occupation. They are not detained in Iraq, as may be seen from the fact that they applied to the ICRC office in Baghdad. Approval was given for the return of those whose identities were verified. Needless to say, their situation is entirely unrelated to that of the prisoners of war whose return has been requested by Kuwait and of whose names a full list was submitted to ICRC and transmitted to the authorities of the Iraqi regime. In attempting to mingle the former cases with those of Kuwaiti prisoners and detainees, the Iraqi regime's intention is simply to procrastinate and to confuse

international public opinion with respect to Iraq's inhumane practices and failure to comply with the 1949 Geneva Convention relative to the Treatment of Prisoners of War.

We call upon you to draw the regime's attention to these blatant violations of the third Geneva Convention and to affirm that the Iraqi regime, by persisting in its failure to hand over the remaining prisoners, is contravening both the spirit and the letter of Security Council resolutions 686 (1991) and 687 (1991). In doing so, it is guilty of a flagrant breach of the provisions underlying the cease-fire declaration. All members of the Security Council and international humanitarian organizations are also urged to put pressure on the Iraqi regime with a view to ensuring its full and prompt implementation of the pertinent Security Council resolutions.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 153, and of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative